

1 Guido Saveri (22349) [guido@saveri.com](mailto:guido@saveri.com)  
2 R. Alexander Saveri (173102) [rick@saveri.com](mailto:rick@saveri.com)  
3 Geoffrey C. Rushing (126910) [grushing@saveri.com](mailto:grushing@saveri.com)  
4 Cadio Zirpoli (179108) [cadio@saveri.com](mailto:cadio@saveri.com)  
5 SAVERI & SAVERI, INC.  
6 706 Sansome Street  
7 San Francisco, CA 94111  
8 Telephone: (415) 217-6810  
9 Facsimile: (415) 217-6813

10 *Interim Lead Counsel for the Direct Purchaser  
11 Plaintiffs*

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

13 IN RE: CATHODE RAY TUBE (CRT)  
14 ANTITRUST LITIGATION

MASTER FILE NO. 07-cv-5944 SC

MDL NO. 1917

15 This Document Relates to:

**DECLARATION OF R. ALEXANDER  
SAVERI IN SUPPORT OF PLAINTIFFS'  
ADMINISTRATIVE MOTION TO SEAL  
DOCUMENTS PURSUANT TO CIVIL  
LOCAL RULES 7-11 AND 79-5(d)**

16 ALL DIRECT PURCHASER CLASS  
17 ACTIONS

18 The Honorable Samuel Conti

1 I, R. ALEXANDER SAVERI, declare as follows:

2 1. I am a member in good standing of the State Bar of California and managing  
3 partner of the law firm, Saveri & Saveri, Inc., Interim Lead Counsel to the Direct Purchaser  
4 Plaintiffs. I make this declaration, except where noted, of my own personal knowledge, and, if  
5 called upon to do so, I could and would testify competently to the facts contained herein.

6 2. I submit this Declaration in support of Plaintiffs' motion to file the following  
7 documents, or portions thereof, under seal pursuant to Civil Local Rules 7-11 and 79-5(d):

8 • Exhibits 9 and 10 to the Declaration of R. Alexander Saveri in Support of Class  
9 Plaintiffs' Objections to Special Master's Report and Recommendation Granting  
10 Defendants' Motion for Partial Summary Judgment (TO BE LODGED WITH THE  
11 CLERK UNDER SEAL PURSUANT TO GENERAL ORDER NO. 62); and  
12 • Class Plaintiffs' Objections to Special Master's Report and Recommendation  
13 Granting Defendants' Motion for Partial Summary Judgment (TO BE LODGED  
14 WITH THE CLERK UNDER SEAL PURSUANT TO GENERAL ORDER NO.  
15 62).

16 3. On June 18, 2008, the Court approved a "Stipulated Protective Order" ("Protective  
17 Order") in this matter.

18 4. Pursuant to Section 5.2 of the Protective Order, the parties were permitted to  
19 designate documents as "Confidential" and "Highly Confidential." Section 2.3 of the Protective  
20 Order defines "Confidential Information or Items" as "information, (regardless of how generated,  
21 stored or maintained) or tangible things that qualify for protection under standards developed  
22 under Fed. R. Civ. P. 26(c)." Section 2.4 of the Protective Order defines "Highly Confidential  
23 Information or Items" as "extremely sensitive Confidential Information or Items whose disclosure  
24 to another Party or non-party would create a substantial risk of injury that could not be avoided by  
25 less restrictive means." Section 2.8 of the Protective Order defines "Protected Material" to include  
26 both types of information.

27 5. Section 10 of the Protective Order requires that "a Party may not file in the public  
28 record in this action any Protected Material. A Party that seeks to file under seal any Protected

1 Material must comply with Civil Local Rule 79-5.”

2       6. Plaintiffs wish to file “**Class Plaintiffs’ Objections to Special Master’s Report**  
3 **and Recommendation Granting Defendants’ Motion for Partial Summary Judgment”**  
4 because it contains either: (a) material designated by a defendant pursuant to the Protective Order  
5 (entered by the Court on June 18, 2008) as “Confidential” or “Highly Confidential”; or (b)  
6 analysis of, references to, or information taken from material designated by a defendant pursuant  
7 to the Protective Order as “Confidential” or “Highly Confidential.” The “Confidential”  
8 information contained in this document is similar or identical to that contained in Exhibit 10 to the  
9 Saveri Declaration, which was sealed by this Court, as set forth below.

10       7. Plaintiffs seek to file Exhibits 9 and 10 of the “Declaration of R. Alexander Saveri  
11 in Support of Class Plaintiffs’ Objections to Special Master’s Report and Recommendation  
12 Granting Defendants’ Motion for Partial Summary Judgment” under seal because this Court has  
13 already ordered that these documents be filed under seal.

14       8. Exhibit 9 to the Saveri Declaration was filed under seal pursuant to the Court’s  
15 Order Granting Direct Purchaser Plaintiffs’ Administrative Motion to Seal Documents Pursuant to  
16 Civil Local Rules 7-11 and 79-5(d), entered in this action on April 2, 2012, Dkt. No. 1120.

17       9. Portions of Exhibit 10 to the Saveri Declaration were filed under seal pursuant to  
18 the Court’s Order Granting Direct Purchaser Plaintiffs’ Administrative Motion to Seal Documents  
19 Pursuant to Civil Local Rules 7-11 and 79-5(d), entered in this action on April 2, 2012, Dkt. No.  
20 1120; Order Granting Direct Purchaser Plaintiffs’ Administrative Motion to Seal Documents  
21 Pursuant to Civil Local Rules 7-11 and 79-5(d), entered in this action on April 2, 2012, Dkt. No.  
22 1121; Order Sealing Documents, entered in this action on April 2, 2012, Dkt. No. 1122; and Order  
23 Granting Direct Purchaser Plaintiffs’ Administrative Motion to Seal Documents Pursuant to Civil  
24 Local Rules 7-11 and 79-5(d), entered in this action on April 2, 2012, Dkt. No. 1123.

25       10. A stipulation by the parties could not be obtained because under Civil Local Rule  
26 79-5, parties may not stipulate to the filing of any document under seal. *See* Civil L.R. 7-11(a),  
27 79-5(a).

28

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct. Executed this 24<sup>th</sup> day of July, 2012 in San Francisco, California.

3  
4 */s/ R. Alexander Saveri*  
5 R. Alexander Saveri

6 Crt.552  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28